

# United States Patent and Trademark Office



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/684,665	10/14/2003	Walker B. Carroll	POU920030203US1	3398	
Lawrence D. Cutter, Attorney IBM Corporation, Intellectual Property Law Dept. M/S P386 2455 South Rd. Poughkeepsie, NY 12601			EXAM	EXAMINER	
			NGUYEN,	NGUYEN, TANH Q	
			ART UNIT	PAPER NUMBER	
			2182	2182	
			DATE MAILED: 06/29/2005		

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary    Total MalLING DATE of this communication appears on the cover sheet with the correspondence address		Application No.	Applicant(s)				
## Deficie Action Summary  ## The MAILING DATE of this communication appears on the cover sheet with the correspondence address → Period for Reply  A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.  Entertained of time may be available under the proteione of 3/2 CFR 1.139(a), in no event, however, may a raply be timely filled.  *## The period for reply specified above, the macrimen statutory period will apply and will expire SX (b) MONTHS from the realiting date of this communication of this communication of this communication. Period of this communication of this communication, several from the proteins after the maling date of this communication, even if timely filled, may reduce any searched above, the macrimen statutory period will apply and will expire SX (b) MONTHS from the realiting date of this communication, even if timely filled, may reduce any searched patent term adjustment. See 3/2 CFR 1.704(b).  **Status**  1) □ Responsive to communication(s) filled on 14 October 2003 and 13 May 2004.  2a) □ This action is FINAL.  2b) □ This action is non-final.  3) □ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.  **Disposition of Claims**  4) □ Claim(s) is/are pending in the application.  4a) Of the above claim(s) is/are allowed.  6) □ Claim(s) is/are allowed.  6) □ Claim(s) is/are allowed.  70 □ Claim(s) is/are allowed.  80 □ Claim(s) is/are allowed.  80 □ Claim(s) is/are allowed.  80 □ Claim(s) is/are allowed.  91 □ The specification is objected to by the Examiner.  10 □ The drawing(s) filled on 13 May 2004 is/are: allowed.  81 □ Claim(s) is/are allowed.  82 □ Claim(s) is/are objected to by the Examiner.  10 □ The oath or declaration is objected to by the Examiner.  11 □ Claim(s) is/are objected to by the Examiner.  12 □ Claim(s) is/are objected to by the Examiner.  13 □ Claim(s) is/are objected							
Tanh Q. Nguyen   2192	Office Action Summary						
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· ·	3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)	5) Notice of Informal F					

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#### **DETAILED ACTION**

## Inventorship

1. The petition under 37 CFR 1.48(a) seeking to correct the original naming of inventors by adding the previously unnamed persons - CARL A. BENDER and GREGORY SALYER - as inventors of previously claimed subject matter in this application is deficient because the chain of title is deficient. The assignment filed in support for the statement under 37 CFR 3.73(b) only shows WALKER B. CARROLL as the assignor.

## Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

- (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.
- 3. Claim 1 is rejected under 35 U.S.C. 102(e) as being anticipated by **Pettey et al.** (USP 6,594,712).

Pettey teaches a method for transmitting a message packet from a first node [102, 104, FIG. 1] to a second node [108, FIG. 1; 108, 202, FIG. 2] in a data processing system [FIG. 22b], said method comprising the steps of:

establishing a first set of communication parameters [912, 922, FIG. 9] prior to

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message packet transmission time in a communications adapter [104, FIG. 1; 202, FIG. 2] connected to a first one of said nodes;

establishing a second set of communication parameters [914, 924, FIG. 9] prior to message packet transmission time;

wherein said first and second sets of communication parameters are interpreted jointly and wherein together they define disparate areas of memory [SGL 900, FIG. 9 - as a scatter/gather list] in said first node from which said message packet is assembled [col. 12, lines 24-57], whereby a single message packet [col. 14, lines 35-37; col. 15, lines 10-12; col. 15, lines 25-26 implicitly supporting a single packet - if the data specified in the SGL 900 can be contained in one packet] is provided which contains data from disparate memory locations but which still preserves direct memory to memory transfer [col. 12, lines 24-57; col. 14, lines 25-51].

#### Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tanh Quang Nguyen whose telephone number is (571) 272-4154 and whose e-mail address is tanh.nguyen36@uspto.gov. The examiner can normally be reached on Monday-Friday from 8:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dov Popovici, can be reached on (571) 272-4083. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306 for After Final, Official, and Customer Services, or (571) 273-4154 for Draft to the

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Examiner (please label "PROPOSED" or "DRAFT").

Effective May 1, 2003 are new mailing address is:

Mail Stop

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P.O. Box 1450

Alexandria, VA 22313-1450

Effective December 1, 2003, hand-carried patent application related incoming correspondences will be to a centralized location.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197.

06/25/2005

TQN June 25, 2005